

Town of Burns Harbor Employee Handbook

Section One: Introduction

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***INTRODUCTION**

Welcome to the Town of Burns Harbor, Indiana. This handbook is a guide that describes the procedures and regulations that relate to your employment, and has been prepared to assist you in making your employment enjoyable and rewarding.

Although the handbook is designed to serve all employees in an equitable and fair manner, parts of this book may be superseded by specific department procedure. See your department head for department procedures.

PURPOSE STATEMENT

The employees, staff and officials of the Burns Harbor Town Government work to sustain and build upon the tradition of the outstanding quality of life in our community by delivering the highest levels of services to our residents and guests through our values and actions.

UNIFORM APPLICATION OF THIS HANDBOOK

It is the intent of the Town of Burns Harbor to adopt an employee handbook that applies uniformly to all divisions of government unless superseded by Town Council or Council approved departmental rules and regulations that are more stringent or restrictive.

PURPOSE OF THE EMPLOYEE HANDBOOK

This Personnel Policy Handbook has been prepared for the employees of the Town of Burns Harbor to promote and maintain a positive working environment and to provide general direction and information. Since it is not possible for this handbook to cover each and every aspect of employment, the policies, procedures and benefits described in this handbook are summary descriptions, presented for information only, and are not intended to be all encompassing or applicable to every situation. An employee who wishes to review a policy in its entirety should contact his or her department head.

Neither this handbook nor any other written or oral statement made to an employee by a representative of the Town is intended to be an actual or implied contract unless reduced in writing, signed by the appropriate department head and Town Council and explicitly stated in writing that the document is intended to serve as a contract.

Although the Town wishes to make every effort to maintain continuity in its policies and the way it handles personnel issues, it retains the right to add, modify or terminate its policies, procedures or benefits at any time subject to Town Council approval, should a situation arise where such change is necessary to preserve appropriate operations. In those instances, changes shall be immediately applicable to all employees regardless of whether the change conflicts with previous language contained in the handbook. In an emergency, an exception may be made to this handbook and approved by the Town Council after the fact.

All Town employees other than elected officials are employees "at will," and are free to resign at any time, just as the Town is free to terminate that employment at any time, for any reason or for no reason. Neither this handbook nor any other written or oral statements of Town policy is intended to modify the "at will" status of an individual's employment.

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NOTIFICATION OF CHANGES TO THIS HANDBOOK

This handbook provides summaries and information about what an employee can expect from the Town of Burns Harbor and what the Town expects from its employees. Generally, revisions of this handbook are made by the Town Council and are effective upon the Council's action; however, the Town reserves the right to change the handbook at any time. When a change in policy is made, employees will be notified in writing of changes in policies and be distributed revisions of the manual.

NONWAIVER OF DEFENSES

This Handbook may refer to federal and state laws in conferring rights and responsibilities. Benefits and protections may be granted beyond those required by federal or state law. The conferring of such benefits and protections does not concede that the employee is legally entitled to them, and shall not be deemed a waiver by the Town of any defense or argument that the employee was not covered by the pertinent law. The Town reserves the right, at any time, to withdraw or withhold a benefit based on a determination that the employee is exempt or otherwise not entitled to the benefit.

QUESTIONS ABOUT THIS HANDBOOK

Employees with questions or comments regarding any section of this handbook are encouraged to first contact their respective supervisor or department head. If the matter requires additional clarification, the employee may contact the Clerk-Treasurer.

DEFINITION OF TOWN

Where this handbook refers to the "Town" it is referring to the Town Council or a dually designated representative.

APPLICABILITY OF POLICIES

The policies and procedures outlined in this handbook apply to all employees of the Town of Burns Harbor, except:

- Elected officials;
- Individuals appointed to serve on a Town Board or Commission; and
- Attorneys who serve the Town.

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Section Two: General Employment Practices

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***AFFIRMATIVE ACTION**

Although it has been the long-standing policy of the Town to provide equal opportunity to all qualified persons without regard to race, religion, sex, sexual orientation, physical handicap, veteran's status or anything else that has no bearing on job performance, the Town of Burns Harbor is committed to the identification and elimination of those barriers which have denied equal employment opportunities to protected class members.

In addition to eliminating barriers for employment, EEO Policy and Affirmative Action Plan also apply to contractors, vendors and service suppliers seeking a public contract to do business with the Town of Burns Harbor.

CIVIL RIGHTS

It is the policy of the Town to prevent and correct discriminatory or harassing behavior. As part of this effort, the Town provides an internal complaint and investigation procedure to encourage early resolution of employee complaints within the organization and to monitor policies, practices and actions.

Any employee who feels that he or she has received unfair treatment in discipline, pay, promotion or assignment because of his or her race, color, sex, sexual orientation, religion, national origin, ancestry, age, political affiliation, disability or veteran's status may file a complaint through the Town's proper Chain of Command, or pursuant to the policies on harassment and sexual harassment.

Upon initial filing of any complaint the recipient of the complaint will notify in writing and provide a copy of the complaint to the department liaison and the Town Council. The department head and department liaison will keep the Town Council advised of all steps in the investigation of the complaint. Utilizing this procedure will not preclude any other internal complaint procedure.

Retaliation against an employee who complains of or reports unfair or discriminatory treatment is strictly prohibited.

Internal anti-discrimination practices will serve to improve communication and voluntary compliance. This does not, however, mean that corrective action may not be directed by the Town Council when voluntary methods fail.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE ACCOMMODATION**

Individuals with disabilities are given the same opportunity to participate in the services, programs, or activities of the Town. The Town will not discriminate against a qualified individual with a disability in: job application procedures; the hiring, advancement or discharge of employees; employee compensation; job training, and other terms, conditions and privileges of employment. It is the intent of the Town to comply with all applicable requirements of the Americans with Disabilities Act (ADA). ADA outlaws discrimination against individuals with disabilities in a variety of employment sectors including local government.

EQUAL EMPLOYMENT OPPORTUNITY

The Town of Burns Harbor is committed to providing equal employment opportunities for all applicants and employees. Applicants and employees shall be treated fairly and equally. Employment decisions will comply with all applicable state and federal employment discrimination laws, and made without regard to race, color, gender, sex, sexual orientation, religion, national origin, age, disability, veteran's status, political affiliation, or citizenship. In addition, the Town will not tolerate any discrimination by anyone, including, but not limited to, co-workers, supervisors, department heads, elected or appointed officials, vendors and the general public. This policy applies to all employment decisions including, but not limited to, recruiting, hiring, compensation, training, promotion, termination and all other terms and conditions of employment. Any employee who believes that they have witnessed or has been subjected to discrimination has a duty to immediately report the incident to their supervisor or department head.

Any questions regarding equal employment opportunity, potential discriminatory practices or matters within the scope of Town employment should be directed to the Clerk-Treasurer's Office who will forward the complaint to the Town Council.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***HARASSMENT**

The Town of Burns Harbor encourages all of its employees to work at creating a workplace that is harmonious and conducive to providing services to the public and to fellow employees. Deliberate or repetitious comments or actions that are hurtful, rude, unprofessional, discriminatory, or offend other employees have no business in the workplace.

An employee should advise his or her supervisor or department head in regard to activity brought about by another employee that undermines workplace professionalism. Complaints about conduct by an employee's supervisor or department head may be directed to the next person in the Chain of Command.

SEXUAL HARASSMENT

The Town is committed to a policy of equal employment opportunity for all applicants and employees. The Town believes that it is important to maintain a safe, pleasant and comfortable work environment. Sexual harassment adversely impacts the morale and productivity of an employer's most valuable asset, its employees. In addition, state and federal law protects employees, visitors, contractors, vendors and all those who enter the workplace from sexual harassment. The Town believes that it shares a responsibility with its employees, board appointments and elected officials to stop and prevent sexual harassment. Simply put, sexual harassment will not be tolerated in the workplace, and employees engaging in such activity are subject to discipline including but not limited to termination.

Reporting Harassment- Any employee who believes that the actions or words of a department head, supervisor, non-supervisory employee, Town official or non-employee with whom the Town does business constitutes harassment to the employee or to another has a responsibility to report or complain about the situation.

An employee may make reports or complaints of harassment in writing to the employee's department head, or to the department liaison. Employees can request to meet with the Town Council to report harassment. They are not required to discuss the complaint with the department head or department liaison. A complaint about the conduct of the employee's department head or supervisor may be brought to the next person in the chain of command or the Town Council. At the earliest possible phase in the investigation, the Town Attorney will be present at any meeting pertaining to the report.

Supervisors and department heads are required to report all harassment to the department liaison, regardless of how knowledge of the harassment is acquired and even if the harassed employee never actually complains to the department head or supervisor.

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Investigating Reports and Complaints of Harassment - The Town Council is responsible for investigating all reports or complaints of harassment. Investigations are conducted promptly, thoroughly, and impartially. The Town's legal council will be consulted immediately once a harassment report has been filed. While no guarantees regarding confidentiality can be made, an investigation will be conducted in as confidential a manner as possible. Employees are required to cooperate in any investigation. Employees who refuse to cooperate in an investigation may be subject to disciplinary action. To prevent the possibility of continued harassment while an investigation is being conducted, steps may be taken to separate the complainant from the accused.

Final Determination Following and Investigation of Harassment - Following an investigation of harassment, the Town Council will submit in writing the facts of the case and a recommendation for action. The Town Council will make a final determination, as immediately as possible as to whether or not harassment occurred; and if harassment occurred, the measures to prevent its recurrence, and discipline of the harasser. The final determination and the nature of any disciplinary action is communicated to both the complainant and the accused, and all other affected department heads.

Protection from Complaint-Related Retaliation - The Town prohibits any form of retaliation against employees for reporting harassment, filing a complaint of harassment, or providing information in support of a harassment complaint.

If an investigation of a complaint shows that the complaint or information was willfully or intentionally false, however, the individual who provided the false information will be subject to disciplinary action, up to and including discharge.

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CHAIN OF COMMAND

Communications is an important aspect between employee, department head, department liaison and the Town Council to efficiently and effectively carry out the services and functions of the Town. To assure that proper information and communications is being conveyed between each of these facets of the Town the chain of command is to be followed by all employees of the Town.

The employee will discuss any perceived problem or issue with his or her department head. The department head will attempt to resolve the problem or issue.

If the employee believes that the problem or issues was not properly resolved or feels the problem or issues still exists, he or she can then communicate any pertinent information to the department liaison in the presence of the department head.

If the employee believes that the problem or issues was not properly resolved or feels the problem or issues still exists after speaking with the department head and the department liaison, the employee may request from his or her department's liaison schedule a meeting with the entire Town Council to discuss the issue.

Any employee found not following the proper Chain of Command would be subject to disciplinary action. However, this does not apply where the employee is making a complaint of harassment by the employee's immediate supervisor or department head (see harassment policies).

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Section Three: Employer Procedures ***(Hiring, Positions, Compensation & Pay)***

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***HIRING EMPLOYEES**

Vacancies occur when an employee leaves his or her position or a need is recognized, requiring the hiring of additional personnel. All new regular and/or temporary positions require approval by the Town Council. Please contact Clerk-Treasurer for further details.

Moving From One Department to Another - When an employee moves from one department to another within the Town, that employee's benefits move with the employee. The employee loses no benefits when making such a move. Exceptions to this include employees moving from full-time employee to part-time employee position.

Consideration When Filling an Open Position - As openings occur, equally qualified applicants will be considered in the following order of preference:

1. Employees on layoff.
2. Present qualified full-time and part-time employees.
3. External applicants.

The Town Council with recommendation of the employing department head makes final selection of applicants for employment after meeting with applicants in an executive session.

Nepotism – The Town shall follow the guidelines set forth in Resolution 2012-19 Compliance with Indiana HEA 1005 Entitled Conflict of Interest and Nepotism Effective July 1, 2012.

Moving Expenses- Moving or temporary living expenses for new employees will not be reimbursed by the Town.

Pre-Employment Requirements for External New Hires - Once a job offer has been made, all pre-employment requirements must be completed prior to an employee starting work. While there may be additional requirements specific to a department and/or position, requirements generally include:

- Reference Checks
- Proof of Eligibility to Work in the United States
- A Limited Local Criminal History Check
- Drug Testing
- Employment Forms
- Proof of a Valid Operator Driver's License or Commercial Driver's License (CDL)
- Proof of Insurability to Drive Town Owned and/or Leased Vehicles
- Compliance of Nepotism Policy

Failure to demonstrate or provide proper documentation may result in the job offer being rescinded.

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New Employee Orientation – The Clerk-Treasurer conducts a general orientation for all new employees. During this orientation, an employee completes required forms and is provided with information related to the employee's employment. Depending upon whether the employee's position is regular full-time, regular part-time, temporary full-time or temporary part-time, the following may be included in the general orientation:

1. Completing of federal and state tax withholding forms, and completing eligibility documentation for work in the United States.
2. Enrolling the employee in the Public Employees Retirement Fund (PERF) and identifying beneficiaries.
3. Providing written information about the deferred compensation plan offered by the Town.
4. Explaining the Town's health insurance benefit plans and options that an employee, depending on his or her status may be eligible for.
5. Providing written information about direct deposit and payroll deduction
6. Providing the employee with a copy of the Employee Handbook, including written acknowledgment of receipt, and a general overview of the document.
7. Explaining and providing the employee with the Town of Burns Harbor Drug and Alcohol Testing Program, Employee Information Packet and obtaining written acknowledgment of receipt, as well as the program's consent forms and obtaining the employee's written agreement to comply with policies.

Departmental Orientation for Internal and External New Hires - After an external new hire has completed the general orientation provided by Clerk-Treasurer, that employee will participate in an orientation provided by his or her department. An employee who moves to a new department within the Town will also participate in an orientation provided by the department to which he or she is moving, which will better acquaint the employee with his or her new department, position, and safety requirements specific to them. All departmental orientations will include required OSHA guidelines and OSHA safety procedures.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***PROBATIONARY PERIOD**

New employees and employees in new positions serve a Probationary Period of ninety (90) calendar days. This is a time of on-the-job training and a time for the employee and the supervisor to mutually evaluate an employee's skills to determine whether or not there is a good match between the skills needed to do the job and the employee's possession of those skills. Employees serving a Probationary Period are encouraged to ask questions to clarify their responsibilities and expectations.

A supervisor can recommend to the Town Council the discharge of an employee prior to the end of the Probationary Period without cause or if, in the supervisor's opinion, the employee appears to be unable or unwilling to perform the duties of the position satisfactorily, or if the behavior of the employee does not merit continued employment. This includes any position to which a current Town employee is promoted, demoted or laterally moved.

If the supervisor determines that extending the Probationary Period will increase the employee's chances of improving performance, the period may be extended for no longer than an additional ninety (90) calendar days. Before the end of the Probationary Period the supervisor, with consultation of the department liaison will conduct a performance evaluation with the employee, and decide whether to retain or discharge the employee. Employees will not be considered for a promotion or lateral transfer before they have successfully completed their current Probationary Period.

The successful completion of the Probation Period does not alter the employee's at-will status, and does not otherwise guarantee the employee's entitlement to continued employment.

Note: Probationary Period for sworn police officers can be found in the Police Department's Rules and Regulations Manual.

COMPENSATION

The Town is committed to the principle of equal pay for equal work, without regard to gender, age, race, color, national origin, religion, disability, or any other legally protected class.

The Town Council shall fix the compensation of the Town employees by specific ordinance.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***DEFINITIONS OF EMPLOYMENT STATUS**

The Town uses a variety of classifications to describe the status of its employees to define the terms and conditions of employment. These terms can be used by themselves, in conjunction with each other, or even interchangeably. The terms clarify as to whether an employee is entitled to overtime or benefits.

Full-Time: An Employee who has completed his or her orientation period and who works on average at least thirty-two (32) hours or more per week.

Full-Time Probationary: A newly hired employee or an employee assigned (either through promotion or demotion) to a new job classification who after working at the same position for more than ninety (90) days, then becomes a full time employee.

The period allows an employee to become familiar with the opportunities and responsibilities of being an employee of the Town and allows both the employee and the Town to determine whether continued employment will be to the advantage of both parties. At the end of this probationary period, the employee will become eligible for regular employee status. The employee's department head will meet with the employee to discuss his or her evaluation and status for permanent employment.

In certain circumstances, it may be in the employee and Town's best interest to extend the probationary period for an additional thirty (30) days but not longer than an additional ninety (90) calendar days.

The successful completion of the Probation Period does not alter the employee's at-will status, and does not otherwise guarantee the employee's entitlement to continued employment.

Note: Probationary Period for sworn police officers can be found in the Police Department's Rules and Regulations Manual.

A full-time employee may be exempt or non-exempt:

Exempt - A full-time "exempt" employee is a salaried employee who is exempt from the overtime and/or compensatory time requirements of the Fair Labor Standards Act. An exempt employee has certain decision-making responsibilities and meets other criteria of the federal act.

Non Exempt - A full-time employee who is "non-exempt" is entitled to overtime and/or compensatory time under the Fair Labor Standards Act for all hours worked in excess of forty (40) hours in a workweek, at a rate of 1.5 times the hours worked.

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Part-Time: An Employee who has completed his or her probationary period and who works on average less than thirty-two (32) hours per week. Part-time employees, although valuable members of the Town's workforce, are not eligible for all of the benefits (such as health insurance or pension benefits) afforded to full time employees.

Generally, part-time employees do not work a schedule that exceeds the forty (40) hours in a week. In the event that a part-time employee does work more than forty hours in a week, the employee will be paid at a rate of 1.5 times the number of hours worked (over and above forty hours in a week).

Temporary Or Seasonal: An Employee who is hired for a specific period of time, with a known duration of less than eight (8) months or an employee who is assigned to a part-time job with a known limited duration of less than ten (10) full months is not eligible for benefits. Often these employees are also referred to as seasonal or temporary employees. A temporary employee may work either a full or part-time schedule depending upon the assignment. If the employee works more than forty hours in a week, the employee will be paid at a rate of 1.5 times the number of hours worked (over and above forty hours in a week).

Classification Regarding Exempt Employees

As noted above, certain positions such as department heads are considered exempt under the Fair Labor Standards Act (FLSA). The position must meet certain standards and conditions, and be given authority and responsibility that makes the position exempt under the FLSA.

Exempt employees are paid on a salaried basis in accordance with the Fair Labor Standards Act.

For timesheet purposes, non-exempt and exempt employees are instructed to note which days they worked. Employees should record all hours worked and those hours should be reflected on the employees' time sheets.

Employees who have specific questions regarding their exempt or non-exempt status should review the Fair Labor Standards Act or contact the U.S. Department of Labor Wage and Hour Division.

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PAY PERIODS, PAYDAYS, PAYCHECKS, PAYROLL DEDUCTIONS, AND CREDIT UNION

Pay Periods -

Salaried and Hourly Employees Paid Bi-Weekly - Employees paid bi-weekly are paid on the Thursday after the pay period every other week. The pay period begins on a Wednesday and ends two weeks later on a Tuesday. Each pay period includes two workweeks.

Salaried and Hourly Employees Paid Monthly - Employees and Elected officials paid monthly are paid on the second payday of each month when the bi-weekly employees are paid. Each pay period includes one months work pay.

Seasonal Employees - Seasonal employees are paid monthly from September through May and bi-weekly the months of June, July and August. Seasonal employees will be paid on the Friday after the pay period.

Appointed Board Members/Employees Paid Year - Appointed Board Members are paid one time a year for their service to the Town. They are paid in the first half of December.

Time sheets are used to determine the amount an employee is paid each pay period and serve as the official record of an employee's service to the Town.

For State Board of Account audit purposes, non-exempt and exempt employees are instructed to note which days they worked. Employees should record all hours worked and those hours should be reflected on the employees' time sheets.

Paydays - Paydays are on Thursday the week after a pay period ends. If a holiday, bank holiday or a day that the Town Hall is closed falls on a payday, paychecks will be issued on the immediately preceding business day. A schedule of pay dates can be obtained from the Clerk-Treasurer. No other person is allowed to "pick-up" an employee's paycheck without the employee's permission, which must be provided in advance to the Clerk-Treasurer. Paychecks are not issued in advance of payday without approval from the Clerk-Treasurer.

Payroll Deductions - There are two types of payroll deductions, those mandated by the government and those that employees choose to make.

Mandated Payroll Deductions - Certain deductions are made from employees' paychecks, as mandated by the state and/or federal government, or court. These deductions include:

- Federal Income Taxes (as indicated by an employee on the W-4 federal income tax withholding form, non-cash fringe benefits taxes)
- State Income Taxes (as indicated by an employee on the state income tax withholding form)
- Social Security (FICA) and Medicare (MCARE)
- County Economic Development Income Tax (CEDIT)
- Employee share of health insurance premium contributions
- Court ordered child support and garnishments

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Voluntary Payroll Deductions - Employees may choose to have the following deducted from their paychecks:

- Pre or Post-tax deferred compensation deductions (a tax sheltered annuity program through PERF and Nationwide)

Employees may elect to have voluntary deductions taken from their pay, only if they authorize deductions in writing.

Direct Deposit of Paychecks - Employees may elect to have their paychecks directly deposited. Those employees choosing to participate in the direct deposit program should see the Clerk-Treasurer for an automatic deposit authorization form.

Paycheck Errors, Lost Paycheck, or Stolen Paychecks - Employees who discover a mistake in the paycheck, lose their paycheck, or have it stolen must notify the Clerk-Treasurer immediately. In the case of a mistake, the error will be remedied as quickly as possible.

In the case of loss or theft, the Clerk-Treasurer will attempt to stop payment on the check and reissue a new one to the employee. The employee is solely responsible for the monetary loss, however, and the Town is not responsible for the loss or theft of a check if it cannot stop payment on the check.

WORK HOURS, BREAKS, AND MEAL PERIODS

Work Hours and Work Schedule- The work week begins on Wednesday at 12:00 a.m. (midnight) and ends the following Tuesday at 11:59 p.m. Work weeks coincide with a payroll and overtime is calculated based upon this schedule.

The employee's department head determines work hours for employees. At the time of hire, the department head will inform an employee of his or her daily schedule, including meal periods and breaks. Should a schedule change be necessary, the department head will inform the employee of that change. Adjustments in employees' work hours and schedules may be made to meet fluctuating Town and/or departmental demands and priorities or to accommodate an employee's personal needs providing that the temporary change does not impact the quality and amount of work provided.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***WORKING ADDITIONAL TIME, OVERTIME and FLEX TIME**

Non-Exempt and Exempt Positions- The Fair Labor Standards Act (FLSA) establishes overtime pay provisions for employees of employers who are required to comply with the Act. The terms “exempt” and “non-exempt” employees, as used in the FLSA, have reference to the overtime pay provisions of the Act.

Non-exempt employees are those entitled to overtime pay under the FLSA, and include all employees not covered by a specific exemption. Generally speaking, non-exempt employees include clerical, labor, trades, crafts, technicians, maintenance, and other service workers. All hourly employees are non-exempt and, therefore, are entitled to overtime pay. Additionally, there are some employees in positions that are salaried, non-exempt, and those employees are entitled to overtime pay.

Exempt employees are those employees exempt from (not covered by) the overtime pay provisions of the FLSA. Exempt employees, generally speaking, are employees whose positions are supervisory, administrative or professional in nature, and whose salaries meet certain minimums established in the regulations to qualify for exemption. Exempt employees are not entitled to overtime pay.

Questions regarding the status of a particular position should be directed to the Clerk-Treasurer.

Definition of Additional Time, Overtime and Flex Time-

Additional time: is time worked in excess of a non-exempt employee’s regularly scheduled hours, but which does not exceed 40 hours of work in a workweek.

Overtime: is defined as time worked over 40 hours in a workweek by a non-exempt employee.

Flex Time: is defined as time worked in a workweek and taken or paid at a date other than date earned by a non-exempt employee.

Note: Overtime for Sworn police officers is compensated pursuant to Department of Labor Guidelines.

Prior Approval to Work Additional Time and Overtime - Before employees can work in excess of their regularly scheduled hours, the department head must authorize those hours. Failure to receive prior approval for any additional time or overtime may result in disciplinary action, except in the event of an emergency.

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Rate of Pay For Additional Time and Overtime Worked - Non-exempt employees regularly scheduled to work less than 40 hours per week who work more than their regularly scheduled hours, but not more than 40 hours in a week, will receive pay for the additional time at the rate of one hour's pay for each hour worked.

The overtime pay rate does not begin until non-exempt employees work more than 40 hours in a workweek.

The Town pays overtime at the rate of one and one-half times an employee's regular rate of pay. Therefore, a non-exempt employee is paid at the rate of one and one-half hours of pay for each overtime hour worked.

Pay for additional time and overtime is calculated in quarter hour increments.

Pay for additional time worked is included in the paycheck for the pay period in which the time was worked.

Pay for overtime worked can be included in the paycheck for the pay period in which the time is worked or the employee may choose to receive Flex Time.

Use of Flex Time must be scheduled and authorize by the employee's department head and may be refused to meet fluctuating Town and/or departmental demands and priorities. Employees may not accrue more than forty (40) Flex Time hours at one time and can not carry Flex Hours over into the ensuing year. Any unused Flex Hours at year end will be paid out on first pay check of ensuing year.

Time Not Counted in Calculating Pay for Additional Time and Overtime - The following time does not count in calculating pay for additional time or overtime worked:

- Unpaid meal periods
- Time lost due to tardiness, whether excused or unexcused
- Bereavement time off
- Time off for the treatment of work-related injuries and illnesses
- All leaves of absence
- Flex Time
- Sick days

Time Counted in Calculating Pay for Additional Time and Overtime -

- Paid meal periods and breaks
- Paid Holidays observed by the Town
- Vacation Time (unscheduled overtime. It should not count to give you overtime that has been put on the schedule along with your vacation time.)

Note: Overtime for Sworn police officers is compensated pursuant to Department of Labor Guidelines.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***OFFICIAL PERSONNEL RECORDS AND INFORMATION**

An employee's official personnel file is maintained in the Clerk-Treasurer's Office. Notes, letters, the employee's official evaluations, and other matters that require documentation, shall be provided to the Clerk-Treasurer for placement in the file. To assure that personnel files are maintained in accordance with state and federal regulation, it will be the decision of the Clerk-Treasurer as to whether a document is eligible for inclusion in a personnel file.

The Town will take every possible step to safeguard the confidentiality of an employee's personnel file. It is available for review/access by others only under the following circumstances:

- Ordered by a court;
- Requested by a department head or supervisor for review for a transfer, promotion, disciplinary or other personnel action;
- Required by state or federal law;
- Needed to be reviewed to answer a complaint of discrimination filed by the employee with the Indiana Civil Rights Commission, the E.E.O.C. or for compliance with any state or federal regulatory agency.
- The release of information required by federal or state open records laws, such as the employee's name, compensation, job title, business address, business phone number, job description, education and training background, previous work experience, dates of employment, information relating to the status of formal charges against the employee, and the factual basis for final disciplinary action, see IC 5-14-3-4(b)(8).

As required by federal law, medical records, worker compensation files, and requests for Family and Medical Leave, shall not be co-mingled with the employee's regular personnel file. Instead a separate file will be maintained for any issue relating to a medical condition. Employees may periodically review their personnel file during regular business hours. Employees should alert the Clerk-Treasurer to perceived discrepancies and work to resolve the matter.

REFERENCES/EMPLOYMENT VERIFICATION

Requests for references should be referred to the Clerk-Treasurer. The Town does not release detailed information regarding past performance; rather, it provides only basic information regarding employment such as dates worked and confirmation of position and pay. In those cases where an employee has been discharged due to an objectionable action, such inquiries will be referred to the Town Attorney.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***CHANGES IN EMPLOYEE INFORMATION**

When employees are hired, they provide information needed for payroll, insurance, and pension purposes, to name a few. However, some of this information periodically changes, and must be reported **immediately** to the Clerk-Treasurer. Such changes include:

Personal Information-

- Emergency Contact Information
- Home Address or Telephone Number
- Marital Status (marriage, divorce, legal separation)
- Beneficiary (for group term life insurance and/or pension plan (PERF))
- Investment Directions (for pension plan (PERF) and/or tax deferred annuity programs)
- Changes in Education
- Birth or Adoption of Child or Placement in Home of Foster Child
- Child's Twenty-six Birthday (according to Federal Law and for employees with dependent children on the Town's health and dental insurance plan). If the child is enrolled in college, he/she may continue coverage. See the Clerk-Treasurer for details.
- Spouse's Child or Children Become Dependents
(for employees who want dependent children enrolled in the Town's health and dental insurance plan)

Changes to Report to Payroll-

- Federal or State Tax Withholding
- Deferred compensation provider Deductions
- Direct Deposit
- Bank & Credit Union Deductions

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***TERMINATION/ SEPARATION OF EMPLOYMENT**

Retirement- when the Town uses the term “retirement”, it is referring to retirement as defined by the Public Employees’ Retirement Fund (PERF). For information, an employee should read the Public Employees’ Retirement Fund Member Handbook. This handbook is available from the Clerk-Treasurer.

An eligible employee who has decided to retire should notify his or her department head at least 30 days prior to his or her retirement date. Forms required to request a retirement benefits are available from PERF. The employee should contact PERF for instructions on their specific retirement benefits eligibility.

Any statements made by a Town official or employee regarding retirement or disability benefits are not binding and should be considered advisory only; the employee must rely on PERF for accurate information regarding retirement and disability benefits.

Voluntary Termination/Resignation- Exempt employees are requested to give no less than 20 working days written notice prior to the effective date of their resignation, while non-exempt employees are requested to give no less than ten working days written notice. Working days indicate the days the employee is on the job and does not include Flex Time, Vacation Days and Sick Days. Failure to give proper advanced notice prior to resignation and/or failure to work the notice period may make the employee ineligible for future re-employment. Furthermore, insufficient or no notice may cause a delay in processing an employee’s final paycheck.

Pay for accrued Flex Time is included in the final paycheck. Claims for expense reimbursement are paid on the next scheduled date.

For employees who are resigning, monies accumulated in the employee’s pension plan may be refundable, although a refund may forfeit the employee’s future eligibility for retirement benefits. Forms required to request a refund and further information are available from PERF.

Discharge/Involuntary Termination - Termination of an employee for unsatisfactory job performance is usually a last resort after other management techniques have not been successful. However, immediate termination may occur under appropriate circumstances. When it is apparent that an employee is going to be discharged, every effort is made by department heads to conduct the termination in an orderly and businesslike manner in a private setting. Before any employee is discharged, department heads must consult with Town Council in executive session so that any legal issues pertaining to the proposed action may be reviewed in advance.

The discharged employee will receive compensation for all outstanding flex time owed to him or her.

Death of an Employee- The department head of a deceased employee should contact the Clerk-Treasurer in order to secure the final wages and payment for accrued Flex Time, if any, due to the deceased employee and so that other required documentation can be completed. A death certificate must accompany claims of a surviving beneficiary for any death benefits provided under any insurance contracts in force on the life of the employee.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***EXIT CHECKLIST**

Exit Checklist - an employee, who retires, resigns, is discharged, laid off, or whose position is permanently eliminated, must complete an exit checklist and return all town property prior to receiving his or her final paycheck. Employees are responsible for reimbursing the Town for any property not returned.

REHIRING TERMINATED EMPLOYEES

Former employees, who resign from the Town after providing the requested notice, and returning or reimbursing the Town for all items, equipment, and/or materials owned by the Town, are eligible to be considered for re-employment. Former employees interested in re-employment must complete and submit an application form when a job opening is advertised. Former employees will then proceed through the regular hiring process with other external applicants as described in the section on hiring. Prior service is not a guarantee of re-employment. All rehired individuals must serve a new Probationary Period. Service time will **not** continue uninterrupted. Employees will be treated as a new hire.

EXPENSE REIMBURSEMENT

Whenever possible, expenses incurred by an employee in order to conduct town business or in order to participate in training at the direction of the Town, must be approved in advance by the department head. The department head shall also give approval for conferences and/or meetings to be attended by any employee of the Town. The Clerk-Treasurer has final approval of any and all reimbursements pursuant to this policy.

Submitting Requests for Reimbursement - Pending available funds for reimbursement of expenses approved in advance by the department head must include appropriate documentation of the expenses and must be submitted to the Clerk-Treasurer's office. Checks for expense reimbursement claims that are approved are issued on the Thursday following the Town Council meeting of each month. The deadline for submitting requests for expense reimbursement is four (4) working days prior to the date of the monthly Town Council meeting.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012*

Using Town-Owned or Employee Owned Vehicle for Town Business - In the event that employees use their own vehicles to conduct town business, such employees are reimbursed at a rate approved by the State Board of Accounts and town mileage resolution. If an employee uses a municipally owned vehicle to conduct town business and is required to purchase fuel or incur related vehicular expenses, the employee is reimbursed for actual expenses incurred and documented.

Meals When Attending Conferences Outside Town- Employees attending Town-approved conferences, meetings, etc. outside of the Town and which require an overnight stay will receive up to the amount stated in the travel resolution for all State Board of Account allowable items and must turn in an itemized receipt with their claim. In the event that itemized receipts are not turned in for meal purchases, the employee will not be reimbursed for meals purchased.

Employees must provide the Clerk-Treasurer's office with a copy of the conference registration form indicating whether or not meals are provided as a part of the conference or meeting. In the event that meals are provided, the employee will not be reimbursed for meal purchases.

Meals reimbursed for conferences and meetings that do not require an overnight stay require approval by the Town Council and are subject to tax withholdings on the employee's next paycheck.

Hotel Stays When Attending Conferences Outside Town - Employees attending Town-approved conferences, meetings, etc. outside of the Town and which require an overnight stay receive up to the amount stated in the travel resolution and must turn in an itemized receipt with their claim.

All efforts must be taken to assure that sales taxes are not assessed on the claim for the hotel stay.

Use of Town Credit Card - is authorized for town business only. No personal expenses are authorized nor are any uses not specifically relating to town business.

The credit card user must take measures to assure that sales tax is not added to any purchase or charged to the Town's credit card other than those allowable by the State Board of Accounts. If sales taxes are billed to the Town on the credit card statement, the user will be required to pay for those taxes.

The credit card user is responsible for turning in the itemized receipts of all credit card purchases to the Clerk-Treasurer within the billing cycle. Any charges that appear on the credit card statement that do not have a corresponding itemized receipt will be paid by the credit card user. Any late fees that might be assessed to the town card due to untimely payment for lack of a receipt will be the responsibility of the credit card user.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012*

The Clerk-Treasurer shall maintain possession of all town credit cards. Each town employee will be required to sign the card in and out on the credit card log. All credit cards issued shall be returned to the Clerk-Treasurer when the purpose of the use of the credit card has been accomplished.

Credit card purchases that exceed \$150.00 will require a purchase order as stated in the Town's purchase order resolution.

Any misuse of the town credit card is subject to loss of credit card privileges and possible disciplinary action by the Town Council.

NON-CASH FRINGE BENEFITS

Employees who receive non-cash fringe benefits will be required to have taxes taken from his or her paycheck in accordance to State and Federal laws. Examples of a non-cash fringe benefit can include but are not limited to the following:

- Uniforms that are classified by IRS guidelines as non-cash fringe benefits
- Meals reimbursement for meeting or training that where not part of an overnight stay
- Town non-emergency vehicle use
- Personal use of town cellular telephone

UNIFORM ALLOWANCE - The Town has approved a uniform allowance for full-time sworn police officers. Uniform care, maintenance and appearance are the responsibility of the employee.

Uniform Allowances will be paid on the first pay check of June and December. In the event an employee terminates his or her employment with the Town, the Uniform Allowance will be prorated by the number of days employed and any allowance that might be required to be reimbursed to the Town, will be withheld from the employee's last pay check.

Employees will not be eligible for Uniform Allowance during disability leave or any other extended leave of absents from work.

All required taxes for the Uniform Allowance will be deducted from the employee's paycheck and reported on their Form W-2.

For further information on Uniform Allowance see Burns Harbor Ordinance 252-2013.

Adopted November 11, 2009

Approved Revisions Effective 8/9/2012

Section Four: Employer Expectations & Employee Responsibilities

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***ATTENDANCE AND PUNCTUALITY**

In order to preserve and maintain effective operations, employees of the Town should be present and ready to work by their assigned starting time. Tardiness can be cause for appropriate disciplinary action. A supervisor should exercise discretion to not discipline for tardiness if there is a justifiable emergency and no pattern of chronic tardiness on the part of this employee.

Employees are not permitted to clock in and/or begin work before their normal starting time or to clock out and/or work any later than their normal quitting time without the prior approval of their supervisor.

Employees must be at their designated work areas on time and ready to work. Employees shall remain at work until the scheduled quitting time or until properly relieved. Any employee needing to leave work for any reason during their scheduled work day is required to get permission from their supervisor before leaving.

For safety reasons, any personnel that are called into work on off hours to remove snow work on sanitation lift stations, or any other such emergency, should notify the Police Department when they arrive on duty and after they complete their work and are leaving for the remainder of the day.

Employees must notify their department head as far in advance as possible whenever they are unable to report to work, know they will be late, or must leave early. If the supervisor is unavailable when an employee is reporting off, the employee should notify the employee or supervisor designated by the department head as the "back-up" contact when reporting off. If an unscheduled absence continues beyond one day, an employee is responsible for reporting off each day.

Asking another employee, friend or relative to provide notice for a tardy or unscheduled absence is acceptable only under emergency conditions. An employee who is absent from work for three (3) consecutive workdays when the time off is not excused and the employee fails to give proper notice will be considered to have voluntarily resigned as of the employee's last day worked.

Employees, who report for work in a condition considered not fit for work, whether because of illness or any other reason, will not be allowed to work until deemed fit for duty by their department head or until the next scheduled shift.

SAFETY, SECURITY AND HEALTH

It is as beneficial to the employee as it is to the Town of Burns Harbor that employees work in an environment that is healthy, safe, and secure. In order to ensure that a safe environment exists, the Town complies with all applicable federal, state, and local health and safety regulations.

Weapons - With the exception of authorized law enforcement personnel, town employees are prohibited from having any weapons in their possession during working hours or while conducting any town business. Failure to comply with this policy will result in discharge.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012*

Violence-Free Workplace - It is the policy of the Town to ensure the safety of all employees by maintaining a workplace free of violence. Workplace violence can occur in many forms including but not limited to: any verbal or physical action that is communicated or perceived as a threat, harassment, abuse, intimidation, or personal contact, that produces fear for personal safety, causes bodily harm or damage to property.

Employees are asked to take appropriate measures to keep the workplace harmonious and to treat co-workers, supervisors, and the general public with respect. Employees should not, under any circumstance, react to a threat of violence, verbal assault, or rude behavior. Rather, employees should immediately remove themselves from the situation and report the threat to their supervisor or department head.

Violating this policy makes an employee subject to discipline, up to and including discharge.

Damage, Loss, or Theft of Town Property, Equipment, and Supplies - All employees are expected to exercise reasonable care to protect Town property, equipment, and supplies from damage, loss, and/or theft. Employees are responsible for the proper care and return of all town property, equipment, and supplies used to perform work and/or assigned to their possession. An employee who has reason to believe that town property, equipment, and/or supplies are in danger of being damaged, lost, or stolen is expected to immediately report this to his or her department head. Town employees may be held responsible for replacing any lost or stolen items that they are in charge of.

Damage, Loss, or Theft of Employees Personal Property - Employees are expected to exercise reasonable care for their own protection and for that of the personal items they bring to work. The Town is not responsible for the loss, damage, or theft of personal belongings. Employees are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work.

Safety - Employees should strive to make the workplace a safe environment for themselves and those around them. Safety-related training is provided to employees on both an intra-departmental and inter-departmental basis, depending upon the safety topic. Employees are responsible for complying with all safety procedures and for using safety equipment provided by the Town, as required, and are responsible for reporting all safety violations, potentially unsafe conditions, and any accidents resulting in injuries to employees or the public to their department head.

Employees are encouraged to submit suggestions to their department head concerning safety matters. Violations of the Town-wide and/or departmental safety policies and/or procedures will result in disciplinary action, up to and including discharge.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012*

Smoking in the Workplace Employees shall follow the guidelines set forth in Indiana Code 7.1-5-12 Prohibition of Smoking.

DRUG FREE WORKPLACE AND DRUG AND ALCOHOL TESTING

The Town of Burns Harbor is committed to a drug free workplace that provides a safe and productive atmosphere to work in and to conduct business. No drug or alcohol is permitted at any worksite (including on-premises or off-premises during working hours or during break periods or meal periods (paid or unpaid) when an employee is on-duty or scheduled to return to duty, on-premises or off-premises when an on-call employee is responding to an after work hours call, at any time and place that an employee is conducting town business), in any town vehicle, or in the possession of any employee engaged in town business. An employee who is discovered to be in violation of this policy will be subject to immediate disciplinary action up to and including discharge.

For the safety and welfare of all employees and the general public, should a supervisor reasonably believe that an employee may be under the influence of drugs or alcohol, that supervisor is required to have the employee submit to testing performed by qualified medical personnel. Testing is also required of any employee who is involved in an accident while operating a Town owned vehicle. Failure or refusal to submit to a test may result in disciplinary action up to and including discharge.

Employees who operate a town-owned vehicle, or perform duties that require high levels of security and safety, may be subject to random drug testing. In addition, departments may require drug testing when hired. All testing will be performed in compliance with Federal standards and Town Ordinance. The results of any test will remain confidential.

The Town recognizes that although alcohol may be consumed legally when an employee is not at work or conducting town business or driving a town-owned or operated vehicle, it expects the use of alcohol by employees in such instances to be responsible.

Drugs and Alcohol

The Town defines the term drug as any illegal controlled substance or stimulant, or the misuse of prescription drugs. The legitimate use of controlled substances, which, are prescribed by a licensed physician, is not prohibited, but employees should consult their physician about any adverse affects a prescribed controlled substance might have on job performance, and notify his or her supervisor or department head of such adverse affects. Alcohol is any beverage that contains alcohol or any compound similar to alcohol.

Mandatory Reporting of Conviction for a Drug Statute Violation

Any employee convicted of a drug statute violation arising out of conduct occurring in the workplace or on duty must notify his or her department head of such conviction within five (5) calendar days of the conviction.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***Prohibited Activities Related to Drugs and Alcohol**

The following activities present a threat to the safety, welfare and integrity of the Town and its employees, and can result in an employee being discharged:

1. The unlawful manufacture, distribution, possession, consumption, or use of drugs or drug paraphernalia in the workplace and the use or consumption of alcohol in the workplace.
2. The conviction of possession, consumption, manufacture or distribution or use of drugs outside the workplace.
3. The consumption of alcohol in an amount that it has not metabolized by the time the employee has arrived on Town property or is on-duty or conducting business of the Town. The normal standard for metabolization of alcohol is one ounce per hour thus the employee who has consumed one ounce of alcohol will not be eligible to be on Town property or on-duty conducting business of the Town for one hour thereafter. The term “*scheduled*” does not apply to an event where an off-duty employee is requested to perform work in the event of an emergency or call out. However, the employee retains the responsibility to notify his or her supervisor that consumption of alcohol has occurred rendering that person unfit for duty. Failure to notify one’s supervisor may be cause for appropriate disciplinary action or termination.
4. Refusing or failing to submit to an alcohol and/or a drug test.
5. Refusing or failing to cooperate with the collection process during drug and/or alcohol testing.
6. Attempting to contaminate a drug test.
7. Performing any job function while under the effects of alcohol as determined by an evidentiary breath test.
8. The use of alcohol within eight hours following an accident, which requires an employee to be tested for alcohol, unless the employee has already taken a post-accident evidentiary breath test.
9. Testing positive for a drug/alcohol test.

An on-call employee is subject to reasonable suspicion and drug and/or alcohol testing if, when responding to a call, a trained supervisor reasonably concludes that objective facts may indicate prohibited drug and/or alcohol use. Appropriate discipline shall apply for the refusal to submit to reasonable suspicion testing.

Adopted November 11, 2009

Approved Revisions Effective 8/9/2012

Prohibited Activities Related to Drugs and Alcohol Termination, Discipline, Rehabilitation

A violation of the above prohibitions will result in the following consequences:

1. If a first offense occurs, an employee can choose to participate in a rehabilitation program selected by the Town and paid for by the employee. In addition to the rehabilitation program, the employee will assume the cost of follow-up testing. Should the employee fail to participate or complete the program, he/she will be subject to immediate termination.
2. For a second offense (or positive result on a drug and alcohol test), the employee will be terminated.

Methods Used to Test for Alcohol and Drugs

All testing will be performed in compliance with applicable methods and regulations. The selection and type (i.e. urine, blood, breath, etc.) of testing services and devices is the sole discretion of the Town. In the event that the Town believes that the results of a test are inconclusive or tainted, whether accidental or deliberate, the tested employee is subject to a retest. An employee is required to provide advanced written consent, obtained at the time of hire, authorizing all testing procedures.

Types of Drugs and Metabolites for Which Employees are Tested – but not limited to:

- Marijuana
- Cocaine
- Opiates
- Phencyclidine (PCP)
- Amphetamines

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Drug and Alcohol Testing Procedures

The privacy and dignity of each employee being tested for drugs and/or alcohol are of utmost concern in the collection process.

Depending upon the circumstances leading to drug and/or alcohol testing, an employee may be escorted to the collection site by his or her immediate supervisor or department head.

To ensure the integrity of the collection process, at the testing site all employees must:

1. Present photo identification.
2. Remove coat and/or bulky outer clothing and hat. Briefcases and purses may be taken into the testing site, but must be left outside the actual collection area.
3. Empty their pockets to ensure that no items are present which could be used to adulterate the specimen.

At the testing site, an employee may be asked if he or she is required to be tested by DOT (Department of Transportation) standards. Employees in safety-sensitive positions should indicate that they **ARE** required to be tested by DOT. All other employees should indicate that they are **NOT** required to be tested by DOT standards.

The results of alcohol testing are determined immediately at the testing site.

The results of drug testing are reported to the Clerk-Treasurer following processing of the urine specimen. Only employees with a positive drug test will be notified of the test results.

ETHICAL ISSUES

The Town of Burns Harbor has a commitment to its residents, taxpayers and employees to conduct business in a professional and ethical manner.

All town employees, shall not solicit or accept from any person, business, or organization any gift, including money, tangible or intangible personal property, loan, promise, service, or entertainment, for the benefit of the town employees or the departments if it may reasonably be inferred that the person, business, or organization:

- Seeks to influence action of an official nature or seeks to affect the performance of or nonperformance of an official duty; or
- Has the interest, which may substantially affect, directly or indirectly, performance or nonperformance of an official duty.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***EMPLOYEE POLITICAL ACTIVITY**

Employees should be able to perform their jobs without being pressured to support specific political candidates and with the assurance that employees' performance and advancement is judged without regard to political activity. To that end, the Town prohibits political activities by employees during working time.

Employees who violate this policy are subject to disciplinary action, up to and including discharge.

SOLICITATION AND DISTRIBUTION

Because solicitation and distribution activities may interfere with normal operations, reduce employee efficiency, inconvenience employees, annoy customers, and pose a threat to security, the Town prohibits these activities on its premises by non-employees and only permits solicitation and distribution by employees under certain approved conditions where the Town may authorize fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist in these drives, but participation is entirely voluntary.

USE OF COMMUNICATION EQUIPMENT

The Town maintains a variety of communications systems, including: fax machines, electronic mail (e-mail), bulletin boards, telephones and radio systems. Since these systems are provided for official use only, the Town may access and monitor employee communications, as it considers appropriate, without notice to the employee or consent of the employee. All computer documents composed, sent, or received on the Town's computer system are and remain the property of the Town. Computer documents are not the private property of any employee.

Employees should not use town communications equipment and services for personal purposes except in emergencies or when extenuating circumstances warrant it. When personal use is unavoidable, any associated user charges must be on a collect basis.

Employees who do not have direct access to a town telephone should make provisions to have emergency or other necessary incoming calls routed to their department head, or in the department head's absence, to their department's secretary or administrative assistant. Although every effort will be made to deliver urgent personal messages to employees, the Town cannot and does not accept responsibility for the prompt or accurate relay of personal messages.

Bulletin boards are used throughout town facilities to post information, which needs to be accessible to all employees and/or the general public. Employees may not post or remove information from a bulletin board without authorization from their department head.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012*

Improper use of town communications equipment and services will result in disciplinary action, up to and including discharge. Improper use includes any misuse, as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, or sexually suggestive written, recorded, electronically, or telephonically transmitted messages. Employees are expected to report any improper use of communications equipment and services to their department heads.

Cellular Telephones - The Town has approved a cellular telephone allowance for those employees who have been designated with a communications need to receive an allowance. Town employees receiving a Cellular Telephone Allowance will maintain an active cellular telephone at all times and are required to provide the telephone number of that cellular telephone to the Town. The Cellular Telephone Allowance can not be used for a track phone. All cellular telephone equipment needs are the responsibility of the employee.

Cellular Telephone Allowances will be paid on the first pay check of each month. In the event an employee terminates his or her employment with the Town, the Cellular Telephone Allowance will be prorated by the number of days employed during the month and any allowance that might be required to be reimbursed to the Town, will be withheld from the employee's last pay check.

Employees will not be eligible for Cellular Telephone Allowance during disability leave or any other extended leave of absents from work.

All required taxes for the Cellular Telephone Allowance will be deducted from the employee's paycheck and reported on their Form W-2.

Computer Security - Almost all Town business and administrative functions involve the use of computer or telecommunication technologies. Information is processed and stored in vast amounts on minicomputer and microcomputer systems. It is the responsibility of every town employee and contract worker to safeguard the information and the physical assets of these systems. Computer security procedures are intended to reduce or eliminate threats to computer systems and electronic information. Many of these threats do not result from malicious intent; rather they stem from basic human error. Care and awareness are the two (2) most significant safeguards. All employees and contract staff must know what is and is not allowed in the access to and the use of computer systems and equipment.

The Town will develop and maintain policies and controls to ensure the security of computing and telecommunication equipment, the physical premises housing the equipment and the data used, stored or produced on the equipment. For further information, please contact your department head.

E-Mail and Internet - E-Mail and Internet are intended to be used for business purposes. Personal use of these facilities is prohibited without prior consent of the department head and the Town Council. In the event that personal use occurs, that usage must not interfere with business activities, must not involve solicitation, must not be associated with any "for personal profit" outside business activity and must not potentially embarrass the Town of Burns Harbor, its taxpayers or its employees. Because e-mail is being generated for town business, the user should realize that their e-mail files are not private. Town department heads and the Town Council will control access to the Internet via the town network.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012*

Department heads must present a business need to the Town Council for those individuals requesting access to the Internet. A department head reserves the right to block and/or monitor Internet access to any sites deemed offensive, undesirable or having no relevance to the business.

CUSTOMER SERVICE

The Town places a high value on providing quality services. Employees are expected to demonstrate a strong customer service orientation by treating customers in a courteous and respectful manner at all times.

Internal and External Customer Relations - Employees are expected to be able to identify their internal and external customers. Department heads are able to tell their employees who their internal and external customers are.

Employees with customer contact are expected to learn what their customers' needs are, and should report customer-related problems, as quickly as possible, to their supervisor. Employees are encouraged to make suggestions regarding policies, procedures, and practices that will improve service to customers.

Personal Visitors and Telephone Calls - Employees may at times come in contact with friends or family members who are conducting business with the Town. Employees are expected to balance the need to provide good customer relations with the need to perform their job responsibilities. Friends and family members should be treated in the same professional manner as any other customer, while avoiding lengthy or prolonged personal conversations and visits that might distract from the employee's ability to serve other customers.

PERSONAL APPEARANCE

An employee's personal appearance and hygiene serves as an indication of that individual's attitude toward his or her work. Employees are asked to practice good personal hygiene and grooming along with departmental guidelines regarding appropriate dress and appearance. In some departments, the Town provides uniforms or special clothing at no cost to the employee, and employees are responsible for the proper use and care of such clothing. If the uniform qualifies under the Internal Revenue Service as a non-cash fringe benefit, then the required taxes will be deducted from the employee's paycheck and reported on their Form W-2.

Non-exempt employees who report for work in improper attire may not be permitted to work. Time missed while correcting these types of deficiencies will be unpaid. Additionally, such an action may be grounds for disciplinary action.

All employees' clothing attire must follow OSHA laws and regulations where required.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***OFF-DUTY CONDUCT**

While employees are free to pursue their own interests and activities in their time away from work, they should be aware that they may be perceived as representatives of the Town at any time. An employee's conduct while off-duty may be the basis for disciplinary action if the Town concludes that the conduct was unbecoming a representative of the Town or otherwise reflects poorly on the image that citizens expect of civil servants.

OFFICE DECOR AND MAINTAINING WORK AREAS AND EQUIPMENT

Employees are encouraged to personalize their work areas to make them comfortable and attractive. Employees should exercise good judgment in the selection of items, which will be seen by other employees, customers, and visitors. Decor which is offensive, profane, or hostile, which is sexually suggestive, which does not support a positive image of the Town or its employees, or which demeans or attacks an individual or class of individuals is not permitted.

Employees are responsible for maintaining their work areas in a clean and orderly fashion. Untidy and disorganized work areas can lower productivity by making even simple tasks more difficult and may even contribute to workplace accidents.

COMMERCIAL DRIVERS LICENSE (CDL) JOB REQUIREMENT

If the employee must hold a Commercial Drivers License (CDL) as a condition of employment, the Town will provide the physical examination associated with the renewal of that license as often as stated by the federal and state regulation. Other expenses associated with such license are the responsibility of the employee.

WORK RULE VIOLATIONS AND DISCIPLINE

Like every organization, the Town of Burns Harbor has certain expectations of its employees. All employees are expected to accept certain responsibilities including following generally accepted standards for work conduct. Failure to follow department and Town policies, procedures and performance standards may lead to disciplinary action up to and including discharge. Off-duty incidents detrimental to the Town, coworkers and/or job performance will also be considered as part of this policy.

Application of policy – This policy will apply uniformly to all employees.

Adopted November 11, 2009

Approved Revisions Effective 8/9/2012

Section Five: Employee Expectations ***(Leaves & Benefits Procedure)***

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012*

LEAVES AND TIME OFF

BEREAVEMENT TIME OFF

In the event of the death of a member of the immediate family, eligible employees of the Town of Burns Harbor shall be granted a maximum of three (3) consecutive work days off with straight time pay to attend the funeral and to address other concerns.

Members of the immediate family include: spouse, parents, children, siblings, grandparents, grandchildren, and equivalent in-law and step relationships.

Eligibility- Regular full-time employees are eligible for Bereavement Time Off upon hire. Part-time employees and temporary employees are not eligible for Bereavement Time Off pay.

Employees should notify their department head as soon as possible in the event that an immediate family death occurs. Proof of need may be required before receiving compensation for this benefit.

Any additional time needed may be granted on a case-by-case basis by the Town Council at a Town Council meeting and will be reflected in the meeting minutes. Time may be granted but the employee will have to use any flex time, sick and/or vacation days he or she may have if he or she wants to be paid for the leave.

Bereavement Time Off And Vacation or Flex Time - If an immediate family member dies during an employee's scheduled vacation, Bereavement Time Off may be exchanged for vacation days. Employees may request flex time, vacation days, and sick days, if available, to supplement Bereavement Time Off granted for immediate family members or for time off needed to attend the funeral of persons not covered by this policy. Bereavement Time Off is not counted in computing eligibility for overtime payment.

SICK DAYS

Full-time employees of the Town of Burns Harbor will be allowed five (5) paid sick days off per calendar year. A Sick day is the equivalent of eight (8) hours of an employee's regularly scheduled workweek.

- Off two (2) days or less, no medical doctor's excuse is required
- Off three (3) days or more in succession, must have a medical doctor's excuse to be paid
- Sick days can be taken in hour increments.
- Sick days do not accrue and do not carry over into the ensuing year.
- Unused sick days are not paid out to the employee if they terminate from Town employment.

Eligibility- Regular full-time employees are eligible for Sick Days upon hire. Part-time employees and temporary employees are not eligible for Sick Days.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***ABSENTEE POLICY:**

Full-time employees of the Town of Burns Harbor will be allowed three (3) unpaid days off per calendar year. An unpaid day is the equivalent of eight (8) hours of an employee's regularly scheduled workweek. The employee is required to provide no less than twenty-four (24) hour notice, have their responsibility covered at a cost that would be no greater to the Town than if the employee worked him or herself and must be approved by the department head.

HOLIDAYS

A Holiday is a day observed by the Town and is the equivalent of eight (8) hours of an employee's regularly scheduled workweek.

The Town of Burns Harbor observes the following holidays:

New Year's Day	Memorial Day	Independence Day
Labor Day	Thanksgiving	Day after Thanksgiving Day
Christmas Day	One float holiday	

Eligibility- All regular full-time employees on the active payroll are eligible for holiday pay upon hire. Part-time employees and temporary employees are not eligible for Holiday paid time off.

Float Holiday- Employees eligible for holiday pay can choose any day as a float holiday with advance notice and approval from their department head. The request may be denied due to the needs of the department. Float holidays do not carry over and must be taken within the year.

For employees who are scheduled to work Monday through Friday, when a Holiday falls on a Saturday, the Holiday will be observed on the preceding Friday when a Holiday falls on a Sunday, the Holiday will be observed on the Monday immediately following unless otherwise ordered by the Town Council. When a Holiday falls on a Saturday or Sunday and that is a scheduled workday for an employee, that day will be treated as the Holiday.

The Town Council may decide to close Town Hall on additional days for a particular holiday. When that happens, Town Council will record that in the Town Council meeting minutes at the next Town Council meeting. Holidays observed by the Town are counted in computing eligibility for overtime payment.

When requesting sick or vacation pay, regular full-time employees should not include a Holiday as a part of the request. An employee who is on disability leave is not entitled to holiday pay.

Pay For Holidays Observed By The Town- Holidays will be paid as follows:

Full-time employees will receive eight (8) hours time off with pay for the Holidays not worked. If a regular full-time employee is required to work on a Holiday, the employee will receive double time for the hours worked on the Holiday and will not receive a day off with pay at a later date for the Holiday.

Holidays that fall on a weekend where the town designated holiday is on a weekday employees that are scheduled to work one or both of those days would be paid holiday pay for either day but not both days.

Holidays do not accrue and/or do not carry over into the ensuing year.

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Full-time employees who are called in on a Holiday will receive double time pay for the hours that they work.

Part-time and temporary employees will be paid double time for working on a Holiday.

VACATION DAYS

A Vacation day is the equivalent of eight (8) hours of an employee's regularly scheduled workweek.

Each full-time employee shall be eligible for paid vacation time at the following rates:

1 year of service but less than 2 years	1 week
2 years of service but less than 5 years	2 weeks
5 years of service but less than 15 years	3 weeks
15 years of service or more	4 weeks

- No employee should be allowed to take more than two (2) consecutive weeks (eighty hours) of vacation at a time unless authorized by his or her department head.
- All employees shall submit a written vacation request by March 1 in order to have his or her vacation approved and scheduled.
- As a general rule, only one (1) employee in a department shall be allowed to take his or her vacation at a time. This is to ensure adequate personnel in each department at all times. The department head only in extreme situations shall grant exceptions.
- Individuals can begin submitting requests for vacation for the next year in the last week of the current calendar year.
- Vacations shall be approved on the first-come-first-serve basis. In other words, once a vacation request is approved, another employee cannot take it.
- The department head, taking into account employee seniority and previous vacations as determinants, shall settle conflict in simultaneous vacation requests.
- If an employee is reasonably certain of anticipated vacation dates, then the employee is encouraged to request and schedule it rather than take a chance of someone else requesting the same dates.
- An employee shall not schedule more time than earned in order to protect certain dates.
- If an employee schedules a vacation but is unable to take it, then the employee shall not be required to take it as scheduled. The department head must be notified of any changes as soon as possible.
- Employees are required to limit the number of vacation days taken as single days. If an employee scheduled excessive vacations days that are costly or detrimental to the operation of the department then they shall be denied.
- Vacation days must be scheduled. Employees cannot use a vacation day to call off sick.

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- Vacations days can be used in an emergency if approved by the Town Council at a Council meeting.
- All vacations days must be taken in full day increments.
- Although all attempts to use your vacation days by the end of the year should be made, employees can sell back up to five (5) vacation days per year.
- Vacation days do not accrue and do not carry over into the ensuing year.
- Unused vacation days are not paid out to the employee upon termination from Town employment.

CALL OUT PAY

Nonexempt employees from the Street Department and the Sanitation Department called into work for an emergency or who are on call will be paid at a minimum of one hour.

Time begins when the employee arrives at jobsite.

Time is calculated into the overtime calculation.

MEETING PAY

Department heads that are considered full time non-exempt will be paid for time to attend any Town required meeting. Pay will be calculated based on the duration of the meeting and does not include travel time to and from the meeting. Department heads who are considered exempt by Fair Labor Standards Act should record the time on his or her time sheet in the same manner.

TIME OFF FOR TRAINING

The Town of Burns Harbor believes that training is necessary to provide employees with the tools needed to maintain adequate job performance. If an employee is required to attend a workshop, seminar, conference or other training session, the employee will be paid his or her regular rate of pay. All necessary and approved expenses associated with such training will be paid for in advance or reimbursed to the employee by the Town with valid itemized receipts.

TIME OFF FOR JURY AND COURT DUTY

All employees are entitled to unlimited time off to serve as jurors or as witnesses in judicial proceedings when duly summoned or subpoenaed to appear. An employee who has been called to serve on a jury or is subpoenaed to appear as a witness should provide his or her department head with as much advance notice as possible.

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The Town will pay employees serving jury duty at their regular rate of pay. After receiving your check for jury duty, you must then endorse and turn the check over to the Clerk-Treasurer's office.

If an employee is on-call as a juror, or his or her services as a juror are not required to be in court for the day, the employee is expected to come to work. If an employee is subpoenaed to serve as a witness in a court proceeding related to his or her employment, the same arrangements described above shall apply.

FAMILY AND MEDICAL LEAVE (FMLA LEAVE)

The Town of Burns Harbor will comply with all relevant requirements of the most current amendments to the Family and Medical Leave Act of 1993 which provides eligible employees with the ability to take leave for the following reasons:

- To care for the employee's child upon birth or to care for a child upon the child's placement with the employee for adoption or foster care. Unmarried fathers are required by the Town to show proof of the parental relationship through a birth certificate or a court document before allowing FMLA Leave for this reason.
- To care for a parent, spouse, or child with a serious health condition. Unmarried fathers are required by the Town to show proof of the parental relationship through a birth certificate or a court document before allowing FMLA Leave to care for a child with a serious health condition.
- When the employee is unable to perform the essential functions of his or her job because of the employee's own serious health condition.

Duration Of FMLA Leave - The Town has established a rolling year as the method for determining the 12-month period in which an eligible employee's FMLA Leave entitlement occurs.

FMLA Leave is leave of up to twelve (12) weeks in any year, which an eligible employee may take for any or a combination of all the reasons listed above. Employees on FMLA Leave must take all their accrued Vacation Days, Sick Days, and Flex Time before beginning the unpaid portion of the leave. Additionally, employees on FMLA Leave for the employee's own personal serious health condition must also take all accrued Vacation Days, Sick Days, and Flex Time before beginning the unpaid portion of the leave. All Vacation Days, Sick Days, and Flex Time taken count toward the twelve (12) weeks of FMLA Leave.

An employee who fails to return after the end of 12 weeks of FMLA Leave may be terminated (unless an exception is required under the ADA, or the FMLA Leave is the result of a work-related illness or injury). A terminated employee may be considered for future positions that become available, for which, in the Town's opinion, the employee is qualified.

Request For FMLA Leave - All requests for FMLA Leave must be made to the employee's department head in writing via completion of the Leave Request and Information Form.

Eligible employees who want to take FMLA Leave ordinarily must submit the Leave Request and Information Form at least thirty (30) calendar days in advance of the need for leave, if the need for

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leave is foreseeable. If the employee's need is not foreseeable, the employee should submit the Leave Request and Information Form as far in advance as is practicable. The Town may delay FMLA Leave to employees who do not submit the Leave Request and Information Form in advance when there is a known foreseeable need for FMLA Leave.

Medical Certifications - The health care provider must provide initial and ongoing medical certification when the FMLA Leave is for an employee's own or a family member's serious health condition. When an FMLA Leave is for the birth of a child or to care for a child upon the child's placement with the employee for adoption or foster care, medical certification is not required.

The Town may delay or deny approval of FMLA Leave for lack of proper medical certifications. Generally, an employee has fifteen (15) days to provide medical certification from the health care provider after receiving notice of the requirement to do so from the Town. Medical certification must include: the date when the condition began, its expected duration, and a brief statement of treatment.

The Town may, at its sole discretion, also require periodic medical re-certifications of the serious health condition of an employee, child, parent, or spouse and the employee's plan for returning to work.

The Town may not contact the employee's medical provider to discuss the employee's condition without the employee's consent. Therefore, it is the employee's responsibility to provide to the Town all requested medical certifications and information promptly upon request.

The Town also may require a second or third opinion, at the Town's expense. When the FMLA Leave is a result of the employee's own serious health condition, a Fitness For Duty Report Form from the health care provider is required to return to work.

Notice by the Town to Employees Regarding FMLA Leave - The Town may not count an employee's absences as FMLA Leave, unless the Town provides written notice to the employee. The Town maintains the right, however, to start procedures to classify an illness as a serious health condition, if the period of incapacity is more than three consecutive calendar days, or for shorter absences related to chronic or recurring ongoing medical conditions, or for a work-related illness or injury, if applicable, even if an employee has not requested FMLA Leave.

The Town also reserves the right to designate any qualifying leave as FMLA Leave regardless of whether the employee has specifically requested FMLA Leave.

Compensation and Benefits Under The FMLA Leave Policy - Leave taken under the FMLA Policy is unpaid. It is, however, the policy of the Town to require employees to substitute other applicable accrued paid time for all or part of the unpaid FMLA leave.

An employee returning from FMLA Leave is entitled to any unconditional pay increases that occurred during the FMLA Leave.

Employees will not be eligible for Cellular Telephone Allowance during disability leave or any other extended leave of absents from work.

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Service Time and Pay - Eligible employees are not paid longevity pay while on unpaid leave, but employees are credited for service time while the employee is on leave. In other words service time will continue to accrue for an eligible employee showing no break in service while the employee is on leave. The employee's regular base salary and longevity pay (pro-rated over the remainder of the year) will commence upon his or her return to work.

Benefits/Insurance Coverage - Although an eligible employee's contributions made to PERF shall be interrupted during an unpaid FMLA Leave, no break shall be reflected in the employee's service credit. An eligible employee will continue to accrue Vacation Days and Sick Days during the twelve (12) week period of FMLA Leave (whether paid or unpaid) as allowed. An employee shall not receive Holiday pay or time off for Holidays during FMLA Leave.

A qualified employee will be eligible for Bereavement Time Off on those days when FMLA leave is not being used.

Group health and dental insurance coverage will continue on the same basis as coverage would have been provided had the employee been continuously employed during the leave period as long as the employee pays his or her premium on a timely basis. Employees may make arrangements with the Clerk-Treasurer to pay their insurance coverage. The employee's health and dental insurance coverage may be terminated, if the employee's payment is more than 30 days late.

Additionally, failure of the employee to return to work at the end of FMLA Leave may give the Town the right to collect the employer-paid portion of premium contributions made while the employee was on FMLA Leave, unless the reason for not returning is a certified new or continuing serious health condition or other circumstance beyond the employee's control.

Group short term and long term disability insurance coverage will remain in force at the Town's expense on the same basis as if the employee were not on leave.

Working While on FMLA Leave - An employee who is self employed or accepts other employment or works for any other current employer during FMLA Leave must report such work immediately to the Clerk-Treasurer.

An employee who is self employed or accepts other employment or works for any other current employer, performing work of a like or similar character or exertion as that which the employee performed for the Town, during FMLA Leave for a personal serious health condition shall be considered to have terminated employment with the Town as of the date such employment began and may be required to reimburse the Town for the employer-paid portion of group health insurance and disability insurance premium contributions made while the employee was on leave.

Job Restoration After FMLA Leave - Every effort will be made by the Town to hold an employee's position open until he or she returns to work from an approved FMLA leave. However, based upon the necessity of continuing operations during an employee's absence, the Town may choose to fill any non-elected position. If the position is filled while an employee is on FMLA Leave, upon return to work, the

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employee will be placed in an equivalent position, with equivalent pay, benefits, and other terms and conditions of employment. In addition, the position into which the employee is placed will have substantially similar duties. If an employee's position is eliminated during an FMLA Leave, through layoff or restructuring, the employee will not be entitled to return to his or her former or an equivalent position.

When the FMLA Leave is a result of the employee's own serious health condition, a Fitness For Duty Report Form from the health care provider is required prior to returning to work. The Town also may require a second or third opinion, at the Town's expense.

Employees who take FMLA Leave for their own serious health condition and do not return to work immediately following release from the health care provider shall be considered to have voluntarily terminated employment as of the date of the release.

Denial of Job Restoration - The Town may deny job restoration at the end of FMLA Leave in accordance with applicable federal and state laws.

Impact on Promotions, etc. An employee who returns from FMLA Leave is equally considered along with employees who have not taken FMLA Leave for purposes of promotions, job openings, training, and all other aspects of employment.

FMLA Leave and Personnel Files - All medical information obtained in connection with FMLA Leave is kept in a confidential medical file separate from an employee's general personnel file.

FMLA Regulations and Nonwaiver of Eligibility Rules – The Town reserves the right to change its administration of FMLA Leave in the event that the federal statute, or the rules and regulations issued thereunder, are amended. Furthermore, the granting of FMLA leave to an employee who is not legally entitled to it, or beyond the requirements of federal law, does not waive the Town's right to later assert that the employee was not eligible or entitled to the benefits granted.

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MILITARY LEAVE

The Town of Burns Harbor will comply with all relevant requirements of the most current amendments to the Uniformed Services Employment and Reemployment Rights Act (USERRA) regarding Town employees who are members of a “uniformed service” or who perform or have an obligation to perform service in a “uniformed service.”

Notice of Military Leave - An employee who is absent from employment for a period of service in the uniformed services must give advance written notice to his or her department head in order to be entitled to some benefits provided by the USERRA. The Town requests that employees submit a Leave Request and Information Form to their department head as far in advance of a Military Leave as possible. No written notice is required if it would be unreasonable or impossible for the employee to provide notice or if the giving of notice is precluded by military necessity.

DONATING FLEX TIME, SICK DAYS AND VACATION DAYS

In coordination with the Town’s FMLA policy, a Donation Program has been established to assist employees faced with a serious medical illness or injury. This program allows employees to donate flex hours, sick days and vacation days voluntarily to another qualified employee who has exhausted all other paid time due to a serious health condition.

The donating employee must be a regular full-time employee and have sufficient flex time, sick days or vacation days to cover the donated time. The receiving employee must be a regular full-time employee and eligible for leave under the Town’s FMLA policy.

The period in which an employee may receive donated time is the period of FMLA qualified leave, which would otherwise be unpaid. Employees may not be receiving disability insurance benefits or workers compensation benefits prior to, or while, receiving donated time.

A request to donate time form must be completed by the donating employee and verified by his or her department head before it is sent to the Clerk-Treasurer. The Clerk-Treasurer will administer the program by specific Town Ordinance.

Please contact the Clerk-Treasurer for a copy of the Ordinance or further information on this program.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***PERSONAL LEAVE OF ABSENCE**

A **Personal Leave** is an unpaid leave that does not fall into any other category of leaves granted by the Town. The granting and duration of each Personal Leave will be determined on a case-by-case basis by the Town Council in conjunction with applicable federal and state laws. Personal Leave must be approved at a Town Council meeting and be documented in the meeting minutes for audit purposes.

Requesting a Personal Leave - An employee may request a Personal Leave by completing a Leave Request and Information Form and submitting it to his or her department head as far in advance of the start date as possible, but not less than thirty (30) calendar days in advance, unless such notice is not possible. If exact starting and ending dates of the leave are not known, the employee must provide an explanation and, to the best of the employee's ability, estimate the amount of time off required.

Reporting the Status of Personal Leave - Employees on a Personal Leave are required to check in periodically as specified in writing by the department head to indicate how the leave is progressing and any anticipated status changes.

Working While On A Personal Leave - Employees who accept outside of Town employment during a Personal Leave, and where such employment was not a part of leave approved by the department head will be considered to have terminated employment with the Town as of the date the Personal Leave became effective. Such employees may be required to reimburse the Town for any employer-paid portion of group health insurance and disability insurance premium contributions made while the employee was on Personal Leave.

TIME OFF FOR A PERSONAL EMERGENCY

The Town of Burns Harbor recognizes that in certain situations, an employee may be late or absent from work due to an emergency condition or event over which an employee has no control.

The reasons for a tardy or absence will be reviewed by a department head at an employee's request. The department head will, based on the information presented and verification of the condition, determine whether or not an event qualifies as excused, and may be asked to provide verification such as copies of towing bills, estimates or receipts of repairs, and/or police reports.

If a department head determines that an event or condition qualifies as a personal emergency, an employee may use flex time in order to be paid for time off. If an employee does not have accrued flex time, time off will be unpaid. Depending upon the day of the work week on which a personal emergency occurs, a department head may allow an employee to "make up" some or all time off because of the personal emergency. **All** "make up" time, however, must be made up during the same workweek in which the personal emergency occurred **and** cannot create an overtime situation. A decision to allow an employee to "make up" time off because of a personal emergency will be based on the needs of the department and an employee's job responsibilities.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***WORKER COMPENSATION/ DISABILITY LEAVE**

Workers' Compensation Insurance provides coverage for work-related injuries and illnesses as required under the Workers' Compensation laws of the State of Indiana.

The granting and duration of each absence resulting from a work-related injury or illness and each Workers' Compensation Disability Leave and the compensation received by the employee, if any, during an absence or leave will be determined by the Town in conjunction with the Town's insurance provider and applicable federal and state laws.

The insurance benefits described in this manual are expressly subject to the terms, conditions, and eligibility requirements set forth in the formal plan documents governing the Town's compensation and benefit plans.

Reporting a Work-Related Injury or Illness - Any illness or injury related to an employee's work assignment must be reported to the department head so that a Medical Treatment Authorization Form can be completed and sent with the employee prior to evaluation and treatment, if possible. Hoosier Healthcare Northwest, LLC, Porter Hospital (PH), including the Occupational Health Department or NIOMS (Northwest Indiana Occupational Medical Services) or any of PH's Emergency Rooms, is the only provider approved by the Town to evaluate and treat work-related illnesses or injuries that occur while an employee is working in or near the Town of Burns Harbor. Work-related illnesses or injuries that occur when an employee is away from the Town while conducting town business or participating in a training program, should be treated by a provider in that area and submitted to the Town's Workers' Compensation Insurance carrier.

The employee and his or her department head must complete an Indiana Worker's Compensation First Report of Employee Injury/ Illness Form within five (5) days from injury or illness and submit it to the Clerk-Treasurer. If the form is not completed or is not completed in a timely manner the employee's work-related injury or illness treatment may not be covered by the Workers' Compensation Insurance carrier or the Town's group health insurance plan. Any fines assessed to the Town for non-compliance of the Indiana Worker's Compensation First Report filing or late filing will be charged to the employee.

Work-related illnesses or injuries should never be submitted under the Town's group health insurance. Failure to promptly report a work-related injury or illness may result in ineligibility for benefits.

If a work-related injury or illness requires that periodic medical treatment be provided, appointments for such treatment should be made outside of the employee's regularly scheduled work time, whenever possible. When it is not possible, the employee must use accrued flex time, if he or she is eligible to accrue flex time. Preferably, the employee should schedule flex time in advance for such absences.

Duration of Workers' Compensation Disability - The Town will make efforts to hold an employee's position open to the extent required by law. An employee is terminated if he or she is not able to return to work before the end of twelve (12) months from date of the work-related injury or the onset of the work-related illness.

An eligible terminated employee may be considered for future positions that become available, for which, in the Town's opinion, the employee is qualified.

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Compensation and Benefits Resulting from a Work-Related Injury/Illness - The amount of the compensation an employee receives from the Town's Workers' Compensation Insurance Carrier is fixed by state.

The Town will not issue paychecks to an employee in exchange for an employee's Workers' Compensation Disability checks.

An employee may not supplement Workers' Compensation paychecks with accrued flex time, sick or vacation days. An employee returning from an absence resulting from a Workers' Compensation Disability Leave is entitled to any unconditional pay increases that occurred during his or her absence.

Employees will not be eligible for Cellular Telephone Allowance during disability leave or any other extended leave of absents from work.

Service Time And Pay - Employees are not paid longevity pay while receiving lost time benefits, but employees are credited for service time while receiving lost time benefits, showing no break in service while the employee is on a Workers' Compensation Disability Leave. The employee's regular base salary (pro-rated over the remainder of the year) will resume upon his or her return to work.

Insurance Coverage - Group health and dental insurance coverage will continue on the same basis as coverage would have been provided had the employee been continuously employed during the period of a Workers' Compensation Disability Leave as long as the employee pays his or her premium on a timely basis. Employees may make arrangements with the Clerk-Treasurer to pay their insurance coverage. The employee's health and dental insurance coverage may be terminated, if the employee's payment is more than 30 days late.

Working While on Workers' Compensation Disability Leave - An employee who is self employed or accepts other employment or works for any other current employer during a Workers' Compensation Disability Leave must report such work immediately to the Clerk-Treasurer. An employee who is self employed or accepts other employment or works for any other current employer, performing work of a like or similar character or exertion as that which the employee performed for the Town, during the employee's Workers' Compensation Disability Leave of absence shall be considered to have terminated his or her employment with the Town as of the date such employment began. An employee who is terminated may be required to reimburse the Town for the employer-paid portion of the group health and disability insurance premium contributions made while the employee was on Workers' Compensation Disability Leave.

Prior to returning to work from a Workers' Compensation Disability Leave an employee must submit a Fitness For Duty Report Form from the health care provider to his or her department head.

An employee who is on Workers' Compensation Disability Leave and does not return to work immediately following release from the health care provider shall be considered to have voluntarily terminated employment as of the date of the release.

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BENEFITS

LONGEVITY PAY

In addition to all other benefits and compensation, full-time employees shall receive Longevity Pay for continuous employment at the rate of \$100.00 for each year of full-time service. Compensation will be awarded only after the completion of one year's service and every year thereafter.

Longevity pay is paid on the payroll following the anniversary of the employee's full-time status hire date.

If an employee does not complete his or her full year of employment, due to resignation, termination, lay off, extended medical leave, etc. they will not receive compensation for that year.

If an employee severs employment with the Town of Burns Harbor and later returns to employment, his or her prior longevity status will begin at zero unless the Town Council dictates otherwise.

DEFERRED COMPENSATION PROGRAM AND PENSION PLAN

The benefits described in this handbook are expressly subject to the terms, conditions, and eligibility requirements set forth in the formal plan documents governing the Town's compensation and benefit plans.

No deductions will be made until an employee formally enrolls in a plan and gives the Town authorization to make deductions.

Deferred Compensation Program - Any employee may elect at any time to defer a portion of his or her income from current taxation through the Nationwide Services Corporation's annuity program. The maximum percent of income an employee may elect to defer is fixed by law. For more information regarding the tax sheltered annuity program, contact the Clerk-Treasurer.

Pension Plan - Employees who work at least 1,000 hours in a calendar year participate in the Town's pension plan through the Public Employees' Retirement Fund (PERF).

Employees in positions covered by PERF are required to make an employee contribution to PERF of 3% of their gross earnings which is fixed by state law. Additionally, the Town makes its required contribution to PERF.

Complete information regarding PERF can be found in the PERF handbook which can be obtained from the Clerk-Treasurer or PERF. Please note that PERF is a state funded and operated program. Any information received from the Town is subject to confirmation by PERF.

*Adopted November 11, 2009**Approved Revisions Effective 8/9/2012***INSURANCE BENEFITS**

The Town provides a variety of benefits including a group health benefit plan, group term life insurance, and short and long term disability insurance coverage to its full-time employees. These insurance benefits are expressly subject to the terms, conditions, and eligibility requirements set forth in the formal plan documents governing the Town's compensation and benefit plans. The Town does not guarantee the continuation of current insurance benefits or any insurance benefits to employees on a permanent basis. No deductions will be made until an employee formally enrolls in a plan and gives the Town authorization to make deductions.

Spousal rule governs dependant coverage. Under the spousal rule, spouses of Town employees are only eligible to be insured on the Town's insurance policy as secondary insurance if the spouse has insurance available with their own employer.

Employee Contributions - Employees contribute to the cost of the group health, life and dental insurance.

Group Insurance Coverage Upon And Following Termination Of Employment – Upon termination of employment, insurance coverage termination will general be effective on the last day of the billing period in which the company received your notice of termination. These insurance benefits are expressly subject to the terms and conditions set forth in the formal plan documents governing the Town's compensation and benefit plans.

Eligibility – Insurance coverage begins after a sixty (60) day waiting period from being hired to full-time status.

For more information, please refer to the group term life insurance policy or contact the Town's insurance agent noted in the Town of Burns Harbor Employee Benefit Plan.

SHORT & LONG TERM DISABILITY INSURANCE COVERAGE - Disability insurance benefits provide a portion of an eligible employee's income when the employee is unable to work because of a qualifying non work-related injury or illness. Disability benefits may be received during an FMLA Leave (Please see FMLA Leave for further information).

Short and long term disability insurance coverage terminates with employment. For more information, please refer to the disability insurance policy or contact the Town's insurance agent noted in the Town of Burns Harbor Employee Benefit Plan. Some disabilities may not be covered under the disability insurance plan.

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Working While On Disability Leave - An employee who is self employed or accepts other employment or works for any other current employer during a Disability Leave, including the elimination period, must report such work immediately to the Clerk-Treasurer. An employee who is self employed or accepts other employment or works for any other current employer, performing work of a like or similar character or exertion as that which the employee performed for the Town, during a Disability Leave, including the elimination period, shall be considered to have terminated employment with the Town as of the date such employment began. Such an employee may be required to reimburse the Town for the employer-paid portion of group health insurance and disability insurance premium contributions made while the employee was on leave. Additionally, the Disability Insurance Carrier may take action to recover any payments made to the employee while the employee was on leave.

Job Restoration After Disability Leave - During Disability Leave, to the extent required by law every effort will be made by the Town to hold an employee's position open until he or she returns to work. For further information, please see Your Disability Plan booklet or contact the Clerk-Treasurer.

EMPLOYEE HEALTH

The Town of Burns Harbor promotes employee health through several ongoing programs:

First Aid - There are first aid kits available in every Town building and/or department. First aid materials are available to every employee to use for minor injuries.

Cardiopulmonary Resuscitation (CPR) Training - The Town encourages every employee to participate in CPR training. CPR training is scheduled periodically.

Blood Borne Pathogen Control Plan And Training and Hepatitis B Vaccinations - Certain employees in the workplace face a significant risk to blood borne pathogens. An exposure plan has been established to safeguard against employee contact with human blood or other bodily fluid, which may contain blood borne pathogens, such as hepatitis B virus and HIV. Employees working in high-risk jobs are provided blood borne pathogen training, and are also offered a series of hepatitis B vaccinations for their protection at no cost to the employees.

Health Testing - Some employees may be required to undergo periodic health testing. For example, an employee who must possess a CDL for his or her job is required to undergo periodic health exams to maintain the CDL license. The Town pays the cost of required health testing.

Smoking - Employees are permitted to smoke only in designated smoking areas of the Town.